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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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12/10/2003

Adarsh Panikkar

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9177

8791

7590

02/25/2009

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EXAMINER

HOM, SHICK C

ART UNIT

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2416

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/733,100	Applicant(s) PANIKKAR ET AL.	
	Examiner SHICK C. HOM	Art Unit 2416	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/10/2003 & 6/2/2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,5,6 and 9-26 is/are rejected.
- 7) ☐ Claim(s) 2,4, 7 and 8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>6/2/2008</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Objections

2. Claim 5 is objected to because of the following informalities: in claim 5 line 1 delete typo "shifter" and insert ---shift---. Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. Claims 3 and 9-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 3, line 2 which recite "said multiplexer's channel" lack clear antecedent basis because no channel of the multiplexer have been previously recited in the claim and therefore the limitation is not clearly understood. In claim 3 lines 3-4 which recite "the identity of said group of Y contiguous bits and the identity of said group of Y contiguous

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bits" is not clear as to whether they are reciting the first group or the second groups of Y contiguous bits. In claim 9 line 10 and claim 18 line 17 which recite a second multiplexer is not clear where is the first multiplexer recited. In claim 9 lines 16-17 and claim 18 lines 24-25 which recite "said first channel is selected by said multiplexer and when said second channel is selected by said multiplexer" is not clear as to whether they are reciting the multiplexer of claims 9 and 18 lines 8, 14 or the second multiplexer claims 9 and 18 lines 10, 17, respectively.

Claims 10-17 and 19-26 are rejected under 35 U.S.C. 112, second paragraph because they depend from rejected claims 9 and 18, respectively.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1 and 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chaisemartin (5,903,619).

Regarding claims 1 and 5:

Chaisemartin discloses the method, comprising: loading X bits at a time into a shift register and shifting groups of older, loaded X bits up in said shift register with each new group of loaded X bits, each group of X bits having been received from a serial data stream; identifying an alignment key; and, presenting aligned data from said serial data stream by rotating selection of a first group of Y contiguous bits from

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said shift register and a second group of Y contiguous bits from said shift register after said identifying, Y being greater than X as in claim 1 and wherein the shift register is sized to hold z bits as in claim 5 (col. 1 lines 48-58 recite the steps of loading in a shift register group of words of incoming bits and rotating the contents of the shift register; and Fig. 1 shows the step of finding the synchronization word in the serial stream of data clearly anticipate the method including the steps of loading bit into a shift register, rotating groups of contiguous bits from the shift register, identifying an alignment key, i.e. finding the synchronization word, and bits being from a serial data stream as claimed).

Regarding claim 6:

Chaisemartin discloses the step of loading a value into a counter for said counter to start from, said value based upon where said alignment key is found within said shift register (col. 6 line 65 to col. 7 line 20 recite the shift register control circuitry includes a counter).

Chaisemartin discloses all the subject matter of the claimed invention with the exception whereby the step of identifying an alignment key being within said shift register. However, col. 1 lines 48-58 recite the contents of the shift register being compared to the synchronization word at each

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rotation clearly reads on identifying an alignment key being within said shift register as claimed.

Allowable Subject Matter

6. Claims 2-4 and 7-8 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

7. Claims 9-26 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
Crump et al. disclose video processor with serialization FIFO.
O'Connor et al. disclose a high-speed starvation-free arbiter system, rotating priority arbiter and two stage arbitration method.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHICK C.

HOM whose telephone number is (571)272-3173. The examiner can normally be reached on Mon-Thurs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Pham Chi can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SH

/Chi H Pham/
Supervisory Patent
Examiner, Art Unit 2416